



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Andrew Kunasek, District 3, Chairman
Max Wilson, District 4, Vice Chairman
Fulton Brock, District 1
Don Stapley, District 2
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

BOS Auditorium
205 W Jefferson
Phoenix, AZ

FORMAL MEETING MINUTES

BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts and/or Board of Deposit)

**Tuesday, November 18, 2008
9:00 AM**

FLOOD CONTROL DISTRICT AGENDA

The Board of Directors of the Flood Control District convened in Formal Session at 9:00 AM on Tuesday, November 18, 2008, in the Supervisors Auditorium with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2; Max Wilson, District 4; Mary Rose Wilcox, District 5. Also present: Lori Pacini, Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney.

F-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-192-7-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

F-2. RESOLUTION FOR UPPER NEW RIVER AREA DRAINAGE MASTER PLAN

Adopt Resolution FCD 2008R008, Upper New River Area Drainage Master Plan (ADMP). This Resolution authorizes and directs the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to negotiate and prepare Intergovernmental Agreements (IGA) for rights- of-way acquisition, design, construction, construction management, and operation and maintenance; to obtain the necessary rights-of-entry, property and/or easements, design engineering services for the recommended alternative; and to include funding in the current and future Five Year Capital Improvement Programs.

The District has completed the ADMP study. This study identified flooding problems in the northern part of Maricopa County and recommended drainage alternatives to address these flooding problems. The project area boundary encompasses approximately 97 square miles and includes the City of Peoria, City of Phoenix, and unincorporated areas of Maricopa County. The project boundaries are approximately the Tonto National Forest to the north, the New River Dam to the south, the watershed boundary between Skunk Creek and the New River to the east, and the watershed boundary between the New River and the Agua Fria to the west. The District initiated the Upper New River ADMP study in August 2006. The first phase of the study was to obtain flooding data and conduct hydrologic analyses to identify the drainage problems in the study area. This phase of the study included public meetings and close stakeholder coordination. Once the drainage problems were identified, in the second phase of the study, different alternatives were analyzed and presented to the public for input. The Arizona State Land Department, City of Peoria, and the City of Phoenix have been involved throughout the study. After combining public input and comments from the agencies, a recommended alternative was chosen and subsequently presented to the public in June 2008. The recommended alternative has structural features as well as non-structural features, such as participation in the voluntary flood prone property assistance program and floodplain delineations. This item impacts Supervisory Districts 3 and 4. (C-69-09-025-6-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

F-3. RESOLUTION AMENDMENT FOR WHITE TANKS FLOOD RETARDING STRUCTURE #3 OUTLET CHANNEL PROJECT

Adopt Resolution Amendment No.1 - FCD 2004R011A, White Tanks Flood Retarding Structure #3 Outlet Channel Project. This Amendment will authorize and direct the Chief Engineer and General Manager of the District to negotiate and prepare Intergovernmental Agreements (IGAs) with the Town of Buckeye and others as appropriate, for cost sharing, design, right-of-way acquisition, utility relocations, construction, construction management,

and operation and maintenance, of the White Tanks Flood Retarding Structure No. 3 Outlet Channel Project; to contract for engineering and construction services; and to include funding in the District Capital Improvement Program, subject to the ratifications and approval of this Board.

The District developed the Loop 303 Corridor/White Tanks Area Drainage Master Plan (ADMP) to identify and mitigate existing and future drainage and flooding problems in the western metropolitan area bounded by the Agua Fria River, McMicken Dam, the Salt/Gila Rivers, and the White Tank Mountains. The ADMP recommended plan includes a channel and basin adjacent to the Jackrabbit Road alignment, from White Tanks Flood Retarding Structure No. 3 to White Tanks Flood Retarding Structure No. 4. The Board of Directors of the District approved Resolution FCD 2004R011 on February 16, 2005 (C-69-05-076-6-00), authorizing and directing the Chief Engineer and General Manager of the District to acquire land associated with the project. This Amendment will authorize and direct the Chief Engineer and General Manager of the District to negotiate and prepare Intergovernmental Agreements (IGAs) with the Town of Buckeye and others as appropriate, for cost sharing, design, right-of-way acquisition, utility relocations, construction, construction management, and operation and maintenance of the White Tanks Flood Retarding Structure No. 3 Outlet Channel Project; to contract for engineering and construction services; and to include funding in the District Capital Improvement Program, subject to the ratifications and approval of this Board. This agenda item impacts Supervisory District 4. (C-69-05-076-6-01)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

F-4. SELL EXCESS PARCELS H-2642-EX

Authorize the Flood Control District of Maricopa County (District) to sell excess parcels (as listed below) beginning in FY 2008-2009. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with ARS 9-402, which mandates that an invitation for bid be published for the sale of all real property.

FCD Parcel: H-2642-EX or portion of 212-19-001A

Parcel H-2642-EX is a remainder parcel of a larger property that was acquired for the Cave Buttes Dam project. The Hydrology/Hydraulics Branch of the Engineering Division and the Structures Assessment Branch of the Planning & Project Management Division have reviewed the issues associated with the disposition of this parcel and have determined that it would not impact the functionality of the Cave Buttes Dam structure.

The District's Excess Land Committee recommends that the Board of Directors declare this property as excess to the needs of the District.

The property is located approximately ¾ mile east of 7th Street, north of the Central Arizona Project (CAP) Canal, in a county island in North Phoenix. It is hilly land, just over 14 acres in size and is adjacent to State Land and a private aggregate company.

The District has been approached by a private aggregate company about purchasing the subject property. This agenda item impacts Supervisor District 3. (C-69-09-027-8-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

F-5. SELL EXCESS PARCEL

Authorize the Flood Control District (District) to sell excess parcels (as listed below) beginning in FY 2008-09. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be fair market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at fair market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with ARS 9-402, which mandates that an invitation for bid be published for the sale of all real property. A portion of District Parcel: A004.005.015 APN#500-03-004V

The City of Goodyear has requested the purchase of 12.3933 acres +/- of District property to build a park and ride facility. The property is a portion of vacant land acquired in the Bullard Wash Project in 2001. The parcel of land is located at the Northwest corner of Dysart Road and I-10, south of Cornerstone Boulevard. This agenda item impacts Supervisory District 5. (C-69-09-026-8-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

F-6. RESOLUTION FOR METRO PHOENIX AREA DRAINAGE MASTER PLAN

Adopt Resolution FCD 2008R012, Metro Phoenix Area Drainage Master Plan (ADMP). The Resolution is for the adoption of the ADMP as the basis to mitigate storm water flooding within the Metro Phoenix watershed area. This Resolution will authorize the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to negotiate and prepare Intergovernmental Agreements for rights-of-way acquisition, design, construction, construction management, and operation and maintenance; to obtain the necessary rights of entry, property and/or easements for the recommended alternative; to include funding in the current and future Five Year Capital Improvement Programs; and to advertise, select, negotiate and award contract(s) for engineering and construction services for implementation of the recommended alternative features, subject to the ratification and approval of the Board; and also recommends that the ADMP be adopted by the City of Phoenix and Maricopa County.

The City of Phoenix (City) requested in the FY 2004/2005 Capital Improvement Program (CIP) Prioritization Procedure that the District conduct a floodplain study for the Cave Creek floodplain, from south of the Grand Canal to the Salt River. The District in association with the City initiated the Metro Phoenix ADMP. This study identified flooding problems in the central part of Maricopa County, and recommended drainage alternatives to address these flooding problems. The City and the District will use these conceptual drainage plans to identify, define, and budget future drainage improvement projects. The Metro Phoenix ADMP study area covers approximately 90 square miles and is bounded on the west by I-17, on the north by the Arizona Canal Diversion Channel (ACDC), on the south by the Salt River, and on the east by Papago Buttes. The study team identified several floodprone areas within the study area. These areas were identified by analyzing the existing hydrologic conditions within the study area, reviewing citizen input from public meetings, and investigating drainage complaints filed with the City. The study team also re-delineated the Cave Creek floodplain between the Grand Canal and I-10. Agencies such as ADOT, SRP, and various City of Phoenix departments have participated in stakeholder meetings throughout the study. Public meetings have been held and input has been

received from the public on the proposed alternatives. Alternatives were considered for four different floodprone areas within the study area. The alternatives include structural alternatives such as storm drains, as well as non-structural alternatives such as floodplain delineation. A recommended plan has been selected for the study area that includes storm drains and storage basins. This agenda item impacts Supervisory Districts 2, 3, and 5. (C-69-09-028-6-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

F-7. SELL EXCESS PARCELS

Authorize the Flood Control District of Maricopa County (District) to sell excess parcels (as listed below) beginning in FY 2008-09. The District will utilize its Disposition Program, continuing to evaluate and analyze the best potential of leasing or sales of all real property based on prevailing market conditions. The sale price will be market value, to be determined by a certified licensed appraiser, either at the start point of an oral auction, or, in the event of a sale to a municipality, at market value without an auction. If an auction takes place, District staff will sell the parcel in compliance with ARS 9-402, which mandates that an invitation for bid be published for the sale of all real property. FCD Parcels: Portion of 9907.003 & 9907.004 – APN - Portion of 304-49-004-B & 304-49-007-G

The Town of Gilbert has requested the purchase of approximately 14.0 acres of District property for roadway purposes. The property is a vacant parcel of land located on Power Road between Williams Field Road and Pecos Road. It was acquired as part of the Rittenhouse Basin Project, and is no longer needed by the District for flood control purposes. This item impacts Supervisor District: 1 (C-69-09-019-8-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

F-8. DECLARATION OF EXCESS PARCELS - 91ST AVENUE AND CIELO GRANDE & 87TH AVENUE AND AVENIDA DEL SOL.

Authorize the Flood Control District of Maricopa County (District) to declare 15,548 square feet of Flood Control District property as excess land located at 87th Avenue and Avenida Del Sol AND 16,500 square feet of land located at 91st Avenue and Cielo Grande as excess land. These properties are no longer needed for any Flood Control District project.

The District purchased both of these land areas for a basin project. These lands are no longer needed for the project and the Maricopa County Department of Transportation (MCDOT) wishes to purchase these areas for a roadway project. The areas have been approved as excess by the Flood Control District's Excess Land Committee. The properties will be sold at market value to MCDOT. (C-69-09-020-8-00)

Motion to approve by: Director Stapley, Seconded by: Director Brock
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Andrew Kunasek, Chairman of the Board

Lori Pacini, Deputy Clerk of the Board